

REQUEST FOR RECONSIDERATION
U.S. Application No. 09/597,702

14-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Admitted Prior Art in view of Thompson, Melo and Intel: Understanding the Flash Translation (FTL) Specification (December 1998, hereafter “the Intel article”). Applicant respectfully traverses the prior art rejections.

Independent claim 11 is directed to “[a] data sharing method between a host device and a portable slave device. Claim 11 requires:

- (a) physically connecting the host device to the slave device through predetermined coupling device;

- (b) performing connection between the host device and the slave device according to a predetermined protocol between a top layer of a media driver of the slave device and a file system of the host device so that at least part of a storage device of the slave device operates as a storage device of the host device; and

- (c) accessing the storage device of the slave device by the host device via the file system of the host device, the top layer of the media driver of the slave device and a bottom layer of the media driver of the slave system.

In the December 23, 2004 Amendment, Applicant argued that claims 11-15 should be allowable over the combination of the Admitted Prior Art and Thompson because the cited references do not teach or suggest “accessing the storage device of the slave device by the host device via the file system of the host device, the top layer of the media driver of the slave device and a bottom layer of the media driver of the slave system”, as claimed. That is, neither the Admitted Prior Art nor Thompson disclose that the media driver has a top layer and a bottom layer, and that the storage device is accessed via the top and bottom layers of the media driver. Although the Examiner previously cited Thompson for disclosing these features via a

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hierarchical file system (i.e., root directory and sub-directories), the directories are not part of the media driver.

In April 20, 2005 Office Action, the Examiner now concedes that the Admitted Prior Art and Thompson do not teach accessing a top layer and a bottom layer of a media driver. However, the Examiner cites Fig. 2, column 3, lines 47-52 and column 8, lines 20-26 and 33-42 of Melo for allegedly “transfer[ring] messages [via] an upper level communication driver and [a] lower level communication driver”. The Examiner further asserts that “[i]t would have been obvious to ... combine the teaching[s] of APA, Thompson and Melo because Melo’s accessing a top layer of [a] driver and [a] bottom layer of [a] driver would improve the flexibility of APA and Thompson’s system by avoiding undesirable interruption control of the network thereby avoiding adversely affecting communication of the network.”

Applicant respectfully submits that claims 11-15 would not have been rendered obvious in view of the Admitted Prior Art, Thompson and Melo, alone or in combination.

As discussed in the December 23, 2004 Amendment, Thompson discloses a Transparent Peripheral File System (TPFS) 17 of a random access mass storage peripheral 3 which includes drivers 18 linked to the file system 10 of the host 2. The drivers 18 assist the conversion of vnode-style file operation commands (and their associated streams of data) into appropriate sequences of drive mechanism oriented commands drawn from a (hardware) command set implemented by the internal components of the random access mass storage peripheral 3. The drivers 18 also assist in the formatting of data coming from the mechanism into collections reflecting the file level of organization with which they were originally stored. Nowhere does

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Thompson teach or suggest that a media driver having a top layer and a bottom layer, and connection between the host device and the slave device according to a predetermined protocol between *a top layer of a media driver* of the slave device and a file system of the host device.

Melo discloses a communication subsystem for a computer system, which processes application programs under a base operating system (i.e., the MS-DOS operating system) in a first processor operational mode (such as the V86 mode), and also under an enhanced operating system (i.e., Microsoft Windows) during a session under a second processor operational mode (such as a privileged or user mode). The portions of Melo cited by the Examiner in support of the rejection simply disclose a stack of protocol drivers of an MS-DOS machine by which the computer system transmits and receives messages over a communications network. In particular, during message transmission, the upper level communications drivers iteratively provide characters of the message being transmitted to the base lower level communications driver for transmission, and during message reception, the base lower level communications driver iteratively providing characters of the message being received to the upper level communications drivers.

Melo's "computer system" is a host device (i.e., a personal computer 10 as shown in Fig. 1 of Melo) rather than a portable slave device operating as a storage device of the host device. Further, the stack of network protocol drivers (22-26) shown in Fig. 2 of Melo are elements of an MS-DOS machine 20 of the computer system 10, rather than layers of a media driver of a portable storage device. Moreover, message transmission between the computer system and another computer system is performed by connection between the base/bottom level drivers (i.e., the MS-DOS network drivers 26) of the MS-DOS-machines of the computer systems. In other words,

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Melo teaches performing connection between computer systems according to a protocol between the base/bottom level (MS-DOS network) drivers of the computer systems.

Thus, Applicant respectfully submits that it is quite clear that the Examiner's proposed combination of the Admitted Prior Art, Thompson and Melo would not result in "performing connection between the host device and the slave device according to a predetermined protocol between a top layer of a media driver of the slave device and a file system of the host device so that at least part of a storage device of the slave device operates as a storage device of the host device".

Further, Applicant respectfully submits that the Examiner's alleged motivation for modifying the teachings of the Admitted Prior Art and Thompson based on Melo is improper since Melo does not teach that "a top layer of [a] driver and [a] bottom layer of [a] driver would improve the flexibility ... by avoiding undesirable interruption control of the network thereby avoiding adversely affecting communication of the network." Instead, Melo teaches a Windows low-level driver is used instead of the MS-DOS low-level driver during a Windows session, so as to avoid undesirable interruption of control of the network hardware, thereby avoiding adversely affecting communications over the network (see Melo at col. 3, lines 12-23).

Accordingly, Applicant respectfully submits that independent claim 11, as well as dependent claims 12-15, should be allowable because the cited references, alone or in combination, do not teach or suggest all of the features of the claims, and one of ordinary skill in the art would not have been motivated to combine and modify the cited references to produce the claimed invention.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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